



COMBINED DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Process for asymmetrically hydrogenating keto carboxylic esters

the specification of which is attached hereto,

or was filed on February 4, 2004 as

Application Serial No. 10/772,198

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose to the Office all Information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s), the priority(ies) of which is/are to be claimed:

10305943.1
(Number)

Germany
(Country)

February 12, 2003
(Month/Day/Year Filed)

10326915.0
(Number)

Germany
(Country)

June 16, 2003
(Month/Day/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s), to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

- GODFRIED R. AKORLI, Patent Office Registration Number 28,779
- DIDERICO VAN EYL, Patent Office Registration Number 38,641
- JOSEPH C. GIL, Patent Office Registration Number 26,602
- LYNDANNE M. WHALEN, Patent Office Registration Number 29,457

all of Bayer Corporation, Pittsburgh, Pennsylvania 15205-9741

Send Correspondence To: Patent Department Bayer Chemicals Corporation 100 Bayer Road Pittsburgh, Pennsylvania 15205-9741		Direct Telephone Calls To: (412)777-3860	
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FULL NAME OF SOLE OR FIRST INVENTOR Sir John Meurig THOMAS	INVENTOR'S SIGNATURE 	DATE 12/14/04
RESIDENCE Cambridge, CB2 2PN, Great Britain	CITIZENSHIP British	
POST OFFICE ADDRESS 37 Sedley Taylor Road, Cambridge, CB2 2PN, Great Britain		
FULL NAME OF SECOND INVENTOR Brian F. G. JOHNSON	INVENTOR'S SIGNATURE 	DATE 12/02/04
RESIDENCE Cambridge, CB3 0DG, Great Britain	CITIZENSHIP British	
POST OFFICE ADDRESS Huntingdon Road, Cambridge, CB3 0DG, Great Britain		
FULL NAME OF THIRD INVENTOR Robert RAJA	INVENTOR'S SIGNATURE 	DATE 12/3/04
RESIDENCE Cambridge, CB4 6DG, Great Britain	CITIZENSHIP British	
POST OFFICE ADDRESS 80 Butt Lane, Milton, Cambridge, CB4 6DG, Great Britain		
FULL NAME OF FOURTH INVENTOR Matthew David JONES	INVENTOR'S SIGNATURE 	DATE 29/03/04
RESIDENCE Cambridge, DB3 0HF, Great Britain	CITIZENSHIP British	
POST OFFICE ADDRESS 11 Cockcroft Place, Cambridge, DB3 0HF, Great Britain		